



Express Mail Label No. **EV 326 991 629 US**

Attorney Docket No. 37167-8043.US00 (13724-853)

08-19-05

22W
Af

TS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF: Morris et al.

APPLICATION No.: 09/938,276

FILED: August 22, 2001

FOR: TISSUE SURFACE TREATMENT APPARATUS AND METHOD

EXAMINER: Rollins, R.

ART UNIT: 3739

CONF. NO: 1933

Transmittal

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Transmitted herewith are the following:
 An Amendment under C.F. R. § 1.116 (After Final)
 A Notice of Appeal
 A check in the amount of \$250 covering fee due.
2. Entity Status
 Small Entity Status (37 CFR 1.9 and 1.27) is proper for this case.
3. Conditional Petition for Extension of Time:
An Extension of Time is requested to provide for timely filing if necessary for timely filing of this transmittal and enclosures.
4. Provisional Fee Authorization
Please charge any underpayment in fees for timely filing of this transmittal and enclosures to Deposit Account No. 50-2207.

Respectfully submitted,
Perkins Coie LLP

Jacqueline F. Mahoney
Jacqueline F. Mahoney
Registration No. 48,390

Date: Sept. 15, 2005

Correspondence Address:

Customer No. 22918
(650) 838-4410



Express Mail Label No. EV 326 991 629 US

Attorney Docket No. 37167-8043.US00 (13724-853)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Morris *et al.*
SERIAL No.: 09/938,276
FILED: August 22, 2001
FOR: **TISSUE SURFACE TREATMENT APPARATUS AND METHOD**

EXAMINER: Rollins, R.
ART UNIT: 3739
CONF. No.: 1933

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals from the decision of the Examiner dated June 15, 2005, rejecting claims 1-9 and 20. The items checked below are appropriate:

Fee for Notice of Appeal (37 CFR §1.17(b))
 Small Entity: \$250.00

Petition for Extension of Time. Applicant hereby petitions for a *-Month Extension of Time, to extend the period for response to *.

Extension Fee (37 CFR §1.17(a)(1)-(a)(5)):

Other Than Small Entity:
 \$120.00 \$450.00 \$1020.00 \$1590.00 \$2160.00
 Small Entity:
 \$60.00 \$225.00 \$510.00 \$795.00 \$1080.00

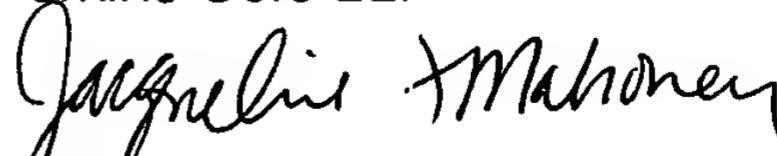
Conditional Petition for Extension of Time

Applicant petitions for an Extension of Time if necessary for timely filing of this Notice of Appeal.

Fee Payment

Enclosed is a check in the amount of \$250.00 covering the fee due.
 Please charge any underpayment or credit any overpayment in fees for timely filing of this paper to Deposit Account No. 50-2207.

Respectfully submitted,
Perkins Coie LLP


Jacqueline F. Mahoney
Registration No. 48,390

Date: Sept. 15, 2005

Correspondence Address:

Customer No. 22918
Phone: (650) 838-4410

01 FC:2401
09/20/2005 0981EL1 00000039 099388276
250.00 OP



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE APPLICATION OF: Morris, *et al.*
SERIAL No.: 09/938,276
FILED: August 22, 2001
FOR: **TISSUE SURFACE TREATMENT
APPARATUS AND METHOD**

EXAMINER: Rollins
ART UNIT: 3739
CONFIRMATION No.: 1933

Amendment Under 37 C.F.R. §1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office action dated June 15, 2005 in the above-identified application, please amend the above-identified application as follows.

Amendments begin on page 2.

Remarks/Arguments begin on page 8 of this paper.